

Excerpts
Planning Commission Minutes
August 11, 2004

Application No. UP-640-04, Kenneth Dale Moore: Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize the expansion of an existing mini-storage warehouse facility located at 2360 Hampton Highway (Route 134) onto an adjacent 1.23-acre portion of a 2.34-acre parcel currently occupied by the Wash Moore car wash facility and further identified as Assessor's Parcel No. 37-158B. The property is zoned GB (General Business) and is designated for General Business development in the Comprehensive Plan.

Mr. Timothy Cross, Principal Planner, summarized the staff report to the Commission dated August 3, 2004, in which the staff made a recommendation of approval. He explained that, because the former use of the property was a car wash that was not a commercial success, conversion to mini storage units would be preferable. He said the conditions of the proposed resolution are practically identical to those for the original application that permitted the car wash facility.

Mr. Barba asked if the applicant proposes to reduce the total number of buildings on the site from three to one. **Mr. Cross** said approval would still permit three buildings on the site with 20 feet of landscaping between Wash Moore and Stor Moore.

Mr. Barba noted the hues for the proposed addition appear to be different from the existing Stor Moore units. He when the mini-storage facility was reviewed by the Commission, he thought the colors would be more compatible. **Mr. Cross** agreed that although the roofs match, the building exteriors appear slightly different in hue.

Mr. Hamilton asked what the procedure would be if the applicant decided to return the use to a car wash. **Mr. Cross** said a car wash would still be allowed but only by special use permit in General Business zoning, and that once converted to some other use, would lose its "grandfather" status. **Mr. Barnett** added that when a non-conforming use is abandoned for a period of time, it loses its status. He believes the applicant would be required to submit a new application for a use permit.

The Vice Chair opened the public hearing.

Mr. Kenneth Dale Moore, 104 Lewis Drive, Seaford, thanked the staff for its thorough examination of the issues and its recommendation of approval. He said he had not planned to request this conversion but the only way he thinks the property can be profitable is to convert the car wash facility to storage units because the car wash is not profitable. Mr. Moore offered to answer any questions.

Mr. Davis asked if the present Stor Moore units on Route 134 are fully occupied. **Mr. Moore** said they are.

Mr. Barba asked how many additional units the applicant is requesting, and **Mr. Moore** said from 90 to 170, depending on the sizes and configuration of the units. He added that he would like to maximize the potential income due to the investment he has already made. He plans to use the same design and guidelines as the existing units at the location so the addition should not be apparent.

Mr. Barba thought it was important to maintain compatibility with the existing units, and noted that there was concern among the Commission at the time this Stor Moore facility came up for public hearing that they would be obvious from Route 134 and the Commission was assured they would not be, but they are "very visible." He recommended more landscaping and better buffering from Route 134.

Mr. Moore explained that the Virginia Department of Transportation ordered the removal of some of the trees buffering the site from Route 134, and others were lost during Hurricane Isabel last year. He has since supplemented the planting inside the buffer.

Mr. Ptasznik asked if the self-service car wash located at the front of the property is profitable at this time, and **Mr. Moore** said it is "reasonably" profitable but approval would enable him to attempt to maximize the profitability of the property as a whole.

Mr. Ptasznik asked if garage doors for internal storage are planned for the front of the building. **Mr. Moore** said there would be one row of doors facing in toward the central area, not to the front.

Mr. Ptasznik closed the public hearing.

Mr. Barba does not want that traffic corridor to become a "storage capital" or believe the County has an obligation to find a use for a vacant building. He said he could, however, vote in favor of the application.

Mr. Hamilton said he is not a proponent of storage warehouses but approval of this application would maximize the use of the land, and it presents an opportunity to see that the land is utilized.

Mr. Ptasznik agreed that turning York County into a "storage facility for the world" is not his choice but because of the proximity of military and military-contract personnel in the County there is a need for this type of service.

Mr. Barba moved the adoption of Resolution PC04-18.

PC04-18

On motion of Mr. Barba, which carried 6:0 (Mr. Simasek absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE THE EXPANSION OF A MINI-STORAGE WAREHOUSE FACILITY LOCATED AT 2360 HAMPTON HIGHWAY ONTO AN ADJACENT 1.23-ACRE PORTION OF A 2.34-ACRE PARCEL LOCATED AT 3010 BIG BETHEL ROAD

WHEREAS, Kenneth Dale Moore has submitted Application No. UP-640-04, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize the expansion of an existing mini-storage warehouse facility located at 2360 Hampton Highway (Route 134) onto a 1.23-acre portion of a 2.34-acre parcel of land located at 3010 Big Bethel Road (Route 600) and further identified as Assessor's Parcel No. 37-158B; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of August, 2004 that Application No. UP-640-04 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize the expansion of an existing mini-storage warehouse facility located at 2360 Hampton Highway (Route 134) subject to the following conditions:

1. This use permit shall authorize the expansion of an existing mini-storage warehouse facility located at 2360 Hampton Highway (Route 134) onto an adjacent 1.23-acre portion of a 2.34-acre parcel of land located at 3010 Big Bethel Road (Route 600) and further identified as Assessor's Parcel No. 37-158B.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any construction or land disturbing activities on the site. Except as modified herein, said site plan shall be in substantial conformance with the sketch plan entitled "Preliminary Sketch: Expansion of Stor Moore 4," prepared by Campbell Land Surveying, Inc. and dated June 22, 2004.
3. The mini-storage warehouse facility shall be developed and operated in accordance with the standards set forth in Section 24.1-483, Standards for all wholesaling and warehouse uses, and Section 24.1-484, Standards for mini-storage warehouses, of the York County Zoning Ordinance.
4. Building additions that would expand existing warehouses to a length greater than 200 feet shall not be permitted.
5. A Type 25 (twenty-five-foot) transitional buffer shall be maintained along the entire rear portion of the property adjacent to the Belmont Apartment complex.
6. The hours of operation of the facility shall be limited to 6:00 a.m. to 9:00 p.m. daily.
7. All outward-facing walls shall be constructed of split-face block and shall be compatible in color and architecture with the adjacent Wash-Moore car wash facility and Belmont Apartment complex.
8. No additional freestanding signage for the mini-storage warehouse facility shall be permitted.
9. The development shall be limited to a maximum of 28,160 net square feet of rentable space.
10. All warehouse doors shall face the inside of the mini-storage warehouse development.

11. Fencing shall be of a black, wrought iron style. The use of chain link or similar theft-deterrent wire (i.e., barbed wire, razor wire, etc.) anywhere on the property shall not be permitted.
12. Building height shall be no greater than fifteen feet (15'), as measured from the finish grade, except for any gables on the decorative facade, which may be no greater than thirty feet (30'), as measured from the finish grade.
13. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.
